

NATURAL RESOURCES DEPARTMENT[561]**Notice of Intended Action**

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 558.69, the Department of Natural Resources hereby gives Notice of Intended Action to amend Chapter 9, “Groundwater Hazard Documentation,” Iowa Administrative Code.

The proposed amendment is intended to adopt by reference a revised Form 542-0960, “Groundwater Hazard Statement,” to clarify that the time of transfer inspection of private sewage disposal systems is only required for buildings that have or are required by law to have sewage disposal systems.

Questions are frequently raised due to the absence on the form of any category to cover outbuildings, barns, and other buildings which do not have plumbing, toilets, or other fixtures which require a sewage disposal system. The Department has also received requests for further clarification of the language on the form. The revisions to the form are intended to address these issues.

Any interested person may make written suggestions or comments on the proposed amendment by submitting those comments on or before May 1, 2012. Written comments in regard to the amendment to Chapter 9 should be directed to Jon C. Tack, Iowa Department of Natural Resources, Wallace State Office Building, 900 East Grand Avenue, Des Moines, Iowa 50319-0034; fax (515)281-8895; E-mail jon.tack@dnr.iowa.gov. Comments regarding Chapter 9 and the related revisions to 567—Chapters 68 and 69 (see Notice **ARC 0046C** herein) should be directed to Daniel Olson, NPDES Section, Iowa Department of Natural Resources, Wallace State Office Building, 900 East Grand Avenue, Des Moines, Iowa 50319-0034; fax (515)281-8263; E-mail daniel.olson@dnr.iowa.gov.

Public hearings will be held in conjunction with hearings held to accept comments relating to amendments to 567—Chapters 68 and 69 (**ARC 0046C** herein). The following public hearings are scheduled:

April 12, 2012	3 to 5 p.m.	Wallace State Office Bldg. 502 E. 9th St. Conference Room 5E Des Moines
April 16, 2012	2 to 4 p.m.	Iowa DNR Field Office #4 1401 Sunnyside Lane Atlantic
April 17, 2012	4 to 6 p.m.	Independence Public Library 805 1st St. E. Independence
April 18, 2012	4 to 6 p.m.	Fairfield Public Library 104 W. Adams Fairfield
April 19, 2012	4 to 6 p.m.	Storm Lake Public Library 609 Cayuga St. Storm Lake

At the hearings, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment. Any person who intends to attend a public hearing and

has special requirements, such as those related to mobility or hearing impairments, should contact the Department to advise of any specific needs.

After analysis and review of this rule making, no negative impact on private-sector jobs and employment opportunities in the state of Iowa has been found.

This amendment is intended to implement Iowa Code section 558.69.

The following amendment is proposed.

Amend subrule 9.2(1) as follows:

9.2(1) The transferor or the transferor's agent or attorney shall sign department Form 542-0960, "Groundwater Hazard Statement," which may be obtained from the department or local county recorder. An agent or attorney may sign the form for the transferor, but in doing so the agent or attorney represents that a good-faith inquiry of the transferor has been made regarding the information contained in the form and that the information is correct. The department hereby adopts by reference Form 542-0960, "Groundwater Hazard Statement," as amended through ~~September 1, 2010~~ [insert effective date of this amendment]. For all real estate transactions dated July 1, 2009, or later, a county recorder shall accept only the currently adopted form. The department authorizes the reproduction of Form 542-0960 by any person through photocopying or electronic means so long as the general format and wording are not altered in the reproduction thereof.